

**Fill in this information to identify the case:**

Debtor 1 Brian Craig Fitzgerald

Debtor 2 Colleen Marie Fitzgerald  
(Spouse, if filing)

United States Bankruptcy Court for the: Western District of Pennsylvania (State)

Case number 16-10984-TPA

**Official Form 410S1****Notice of Mortgage Payment Change**

12/15

If the debtor's plan provides for payment of post-petition contractual installments on your claim secured by a security interest in the debtor's principal residence, you must use this form to give notice of any changes in the installment payment amount. File this form as a supplement to your proof of claim at least 21 days before the new payment amount is due. See Bankruptcy Rule 3002.1.

Name of creditor: Nationstar Mortgage LLC d/b/a Mr. Cooper Court claim no. (if known): 10-1

Last 4 digits of any number you use to identify the debtor's account: XXXXXX8015

Date of payment change:  
Must be at least 21 days after date of this notice 11/01/2020

New total payment: \$ 364.78  
Principal, interest, and escrow, if any

**Part 1: Escrow Account Payment Adjustment****1. Will there be a change in the debtor's escrow account payment?**

- ☐ No
- ☒ Yes. Attach a copy of the escrow account statement prepared in a form consistent with applicable non-bankruptcy law. Describe the basis for the change. If a statement is not attached, explain why: \_\_\_\_\_

Current escrow payment: \$80.92

New escrow payment: \$80.84

**Part 2: Mortgage Payment Adjustment****2. Will the debtor's principal and interest payment change based on an adjustment to the interest rate on the debtor's variable-rate account?**

- ☒ No
- ☐ Yes. Attach a copy of the rate change notice prepared in a form consistent with applicable non-bankruptcy law. If a notice is not attached, explain why: \_\_\_\_\_

Current interest rate \_\_\_\_\_ %

New interest rate: \_\_\_\_\_ %

Current principal and interest payment: \$ \_\_\_\_\_

New principal and interest payment: \$ \_\_\_\_\_

**Part 3: Other Payment Change****3. Will there be a change in the debtor's mortgage payment for a reason not listed above?**

- ☒ No
- ☐ Yes. Attach a copy of any documents describing the basis for the change, such as a repayment plan or loan modification agreement. (Court approval may be required before the payment change can take effect.)

Reason for change: \_\_\_\_\_

Current mortgage payment: \$ \_\_\_\_\_

New mortgage payment: \$ \_\_\_\_\_

Debtor 1      Brian Craig Fitzgerald  
First Name      Middle Name      Last Name

Case number (if known) 16-10984-TPA

**Part 4: Sign Here**

The person completing this Notice must sign it. Sign and print your name and your title, if any, and state your address and telephone number.

*Check the appropriate box:*

- ☐ I am the creditor.  
☒ I am the creditor's attorney or authorized agent.

**I declare under penalty of perjury that the information provided in this claim is true and correct to the best of my knowledge, information, and reasonable belief:**

/s/ Andrew M. Lubin  
Signature

Date September 14, 2020

Print: Andrew M. Lubin, Esq.  
First Name      Middle Name      Last Name

Title Attorney for Creditor

Company Milstead & Associates, LLC

Address 1 E. Stow Road  
Number      Street  
Marlton, NJ 08053  
City      State      ZIP Code

Contact phone (856) 482-1400

Email: alubin@milsteadlaw.com



**mr. cooper**<sup>®</sup>  
CHANGING THE FACE OF HOME LOANS

PO Box 818060  
5801 Postal Road  
Cleveland, OH 44181

08/31/2020



**OUR INFO**  
ONLINE  
[www.mrcooper.com](http://www.mrcooper.com)

**YOUR INFO**  
CASE NUMBER  
**1610984**

LOAN NUMBER  
[REDACTED]

PROPERTY ADDRESS  
**RR 1 BOX 82**  
**BEAR LAKE,PA 16402**

BRIAN FITZGERALD  
16469 ROUTE 957  
BEAR LAKE,PA 16402

Dear BRIAN FITZGERALD,

**Why am I receiving this letter?**

An annual escrow analysis was performed on the above referenced account.

**What do I need to know?**

Our records indicate your loan is currently in an active bankruptcy proceeding. The enclosed escrow account disclosure statement is for informational purposes only and should not be construed as an attempt to collect a debt.

**What do I need to do?**

If you are represented by an attorney in your bankruptcy, please forward a copy of this letter to such attorney and provide such attorney's name, address and telephone number to us.

If you have any questions, please call us at 877-343-5602. Our hours of operation are Monday through Friday from 8 a.m. to 5 p.m. (CT). Visit us on the web at [www.mrcooper.com](http://www.mrcooper.com) for more information.

Sincerely,

Mr. Cooper  
Bankruptcy Department

Enclosure: Annual Escrow Account Disclosure Statement

Mr. Cooper is a brand name for Nationstar Mortgage LLC. Nationstar Mortgage LLC is doing business as Nationstar Mortgage LLC d/b/a Mr. Cooper. Mr. Cooper is a registered service mark of Nationstar Mortgage LLC. All rights reserved.

**Please be advised this communication is sent for informational purposes only and is not intended as an attempt to collect, assess, or recover a claim against, or demand payment from, any individual protected by the U.S. Bankruptcy Code. If this account has been discharged in a bankruptcy proceeding, be advised this communication is for informational purposes only and not an attempt to collect a debt against you; however, the servicer/lender reserves the right to exercise the legal rights only against the property securing the loan obligation, including the right to foreclose its lien under appropriate circumstances. Nothing in this communication shall be construed as an attempt to collect against the borrower personally or an attempt to revive personal liability.**

If you are a successor in interest (received the property from a relative through death, devise, or divorce, and you are not a borrower on the loan) that has not assumed, or otherwise become obligated on the debt, this communication is for informational purposes only and is not an attempt to collect a debt from you personally.





Escrow Account Disclosure Statement

**Customer Service:** 888-480-2432  
Monday through Thursday from 7 a.m. to 8 p.m. (CT),  
Friday from 7 a.m. to 7 p.m. (CT) and Saturday from 8 a.m. to 12 p.m. (CT)

**Tax/Insurance:** 866-825-9267  
Monday through Thursday from 8 a.m. to 9 p.m. (ET),  
Friday from 8 a.m. to 7 p.m. (ET) and Saturday from 9 a.m. to 3 p.m. (ET)

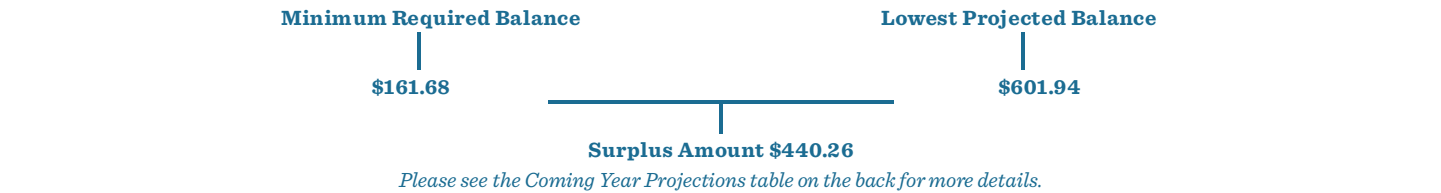
Your Loan Number: [REDACTED]  
Statement Date: 08/31/2020

BRIAN FITZGERALD  
16469 ROUTE 957  
BEAR LAKE,PA 16402

Why am I receiving this?	Mr. Cooper completed an analysis of your escrow account to ensure that the account is funded correctly, determine any surplus or shortage, and adjust your monthly payment accordingly. Mr. Cooper maintains an escrow cushion equal to two months’ estimated taxes and insurance (unless limited by your loan documents or state law). This measure helps to avoid a negative balance in the event of changing tax and insurance amounts.
What does this mean for me?	At this time your Escrow Account has more money than needed, resulting in a surplus of \$440.26. Due to this surplus and changes in your taxes and insurance premiums, your monthly escrow payment will decrease by (\$0.08).
What do I need to do?	A surplus check in the amount of \$440.26 will be mailed under a separate cover. Please note that effective 11/01/2020, your new total monthly payment will be \$364.78.

Total Payment	Current Monthly Payment	Payment Changes	New Monthly Payment
PRINCIPAL AND INTEREST	\$283.94	\$0.00	\$283.94
ESCROW	\$80.92	(\$0.08)	\$80.84
<b>Total Payment</b>	<b>\$364.86</b>	<b>(\$0.08)</b>	<b>\$364.78</b>
See below for surplus calculation			

**What is a Surplus?** A surplus is the difference between the **lowest projected balance** and the **minimum required balance** of your account for the coming year, as shown below. Please see second page for coming year details.



Escrow Payment Breakdown	Current Annual Disbursement	Annual Change	Anticipated Annual Disbursement
SCHOOL TAX	\$300.60	(\$4.29)	\$296.31
TOWN TAX	\$268.49	(\$14.72)	\$253.77
HAZARD SFR	\$402.00	\$18.00	\$420.00
<b>Annual Total</b>	<b>\$971.09</b>	<b>(\$1.01)</b>	<b>\$970.08</b>

If you have questions about changes to your property taxes or homeowners’ insurance premiums, please contact your local taxing authority or insurance provider. For more information about your loan, please sign in at [www.mrcooper.com](#).  
After conducting the annual analysis of your account, Mr. Cooper has determined that a surplus of funds exists and would like to inform you of options available to you. You may: **1. Retain the funds sent to you via check** for your own purposes, **2.** Return the funds to Mr. Cooper and request that we apply these funds to your unpaid principal balance, **3.** Return the funds to Mr. Cooper and request that we **apply these funds back into your escrow account.**

Mr. Cooper is a brand name for Nationstar Mortgage LLC. Nationstar Mortgage LLC is doing business as Nationstar Mortgage LLC d/b/a Mr. Cooper. Mr. Cooper is a registered service mark of Nationstar Mortgage LLC. All rights reserved.

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If you are a successor in interest (received the property from a relative through death, devise, or divorce, and you are not a borrower on the loan) that has not assumed, or otherwise become obligated on the debt, this communication is for informational purposes only and is not an attempt to collect a debt from you personally.



The change in your escrow payment\*\* may be based on one or more of the following factors:

PAYMENT(S)

- Monthly payment(s) received were less than or greater than expected
- Monthly payment(s) received earlier or later than expected
- Previous overage returned to escrow
- Previous deficiency/shortage not paid entirely

TAXES

- Tax rate and/or assessed value changed
- Exemption status lost or changed
- Supplemental/Delinquent tax paid
- Paid earlier or later than expected
- Tax installment not paid
- Tax refund received
- New tax escrow requirement paid

INSURANCE

- Premium changed
- Coverage changed
- Additional premium paid
- Paid earlier or later than expected
- Premium was not paid
- Premium refund received
- New insurance escrow requirement paid
- Force placed insurance premium paid

Prior Year Account History and Coming Year Projections

This is a statement of the actual activity in your escrow account from 09/19 through 10/20. This statement itemizes your actual escrow account transactions since your previous analysis statement or initial disclosure, and projects payments, disbursements, and balances for the coming year. The projections from your previous escrow analysis are included with the actual payments and disbursements for the prior year. By comparing the actual escrow payment with the previous projections listed, you can determine where a difference may have occurred. When applicable, the letter 'E' beside an amount indicates that a payment or disbursement has not yet occurred but is estimated to occur as shown.

Projections are included to ensure sufficient funds are available to pay your taxes and/or insurance for the coming year. Under Federal Law (RESPA), the lowest monthly balance in your escrow account should be no less than \$161.68 or 1/6th of the total annual projected disbursement from your escrow account, unless your mortgage documents or state law specifies otherwise. Your projected estimated lowest account balance of \$601.94 will be reached in September 2021. When the minimum required balance is subtracted from your lowest projected balance, an Escrow Surplus results in the amount of \$440.26. These amounts are indicated with an arrow (<).

This escrow analysis is based on the assumption that all escrow advances made on your loan prior to your bankruptcy filing date are included in your bankruptcy plan and will be paid in the plan. This analysis considers insurance, taxes and other amounts that will come due after the filing of your bankruptcy case.

Month	Projected Payment	Actual Payment	Projected Disbursement	Actual Disbursement		Description	Projected Balance	Actual Balance
						Start	\$242.81	\$5,491.61
09/19	\$0.00	\$0.00	\$0.00	\$4,679.71*	*	Surpl refund	\$242.81	\$811.90
09/19	\$0.00	\$0.00	\$0.00	\$296.31*	*	SCHOOL TAX	\$242.81	\$515.59
09/19	\$0.00	\$0.00	\$0.00	\$253.77*	*	TOWN TAX	\$242.81	\$261.82
10/19	\$0.00	\$161.84*	\$0.00	\$0.00			\$242.81	\$423.66
11/19	\$80.92	\$0.00	\$0.00	\$0.00			\$323.73	\$423.66
12/19	\$80.92	\$161.84*	\$0.00	\$0.00			\$404.65	\$585.50
01/20	\$80.92	\$0.00	\$0.00	\$0.00			\$485.57	\$585.50
02/20	\$80.92	\$80.92	\$0.00	\$420.00*	*	HAZARD SFR	\$566.49	\$246.42
03/20	\$80.92	\$161.84	\$402.00	\$0.00		HAZARD SFR	\$245.41	\$408.26
03/20	\$0.00	\$420.00*	\$0.00	\$0.00		Esc pay adj	\$245.41	\$828.26
04/20	\$80.92	\$0.00	\$0.00	\$0.00			\$326.33	\$828.26
05/20	\$80.92	\$80.92	\$0.00	\$0.00			\$407.25	\$909.18
06/20	\$80.92	\$161.84*	\$0.00	\$0.00			\$488.17	\$1,071.02
07/20	\$80.92	\$0.00	\$0.00	\$0.00			\$569.09	\$1,071.02
08/20	\$80.92	\$80.92	\$0.00	\$0.00			\$650.01	\$1,151.94
09/20	\$80.92	\$0.00	\$300.60	\$296.31*E	*E	SCHOOL TAX	\$430.33	\$855.63
09/20	\$0.00	\$0.00	\$268.49	\$253.77*E	*E	TOWN TAX	\$161.84	\$601.86
10/20	\$80.92	\$80.92E	\$0.00	\$0.00			\$242.76	\$682.78
Total	\$971.04	\$1,391.04	\$971.09	\$6,199.87		Total	\$242.76	\$682.78
Month	Projected Payment		Projected Disbursement			Description	Current Balance	Required Balance Projected
						Start	\$682.78	\$242.52
11/20	\$80.84		\$0.00				\$763.62	\$323.36
12/20	\$80.84		\$0.00				\$844.46	\$404.20
01/21	\$80.84		\$0.00				\$925.30	\$485.04
02/21	\$80.84		\$0.00				\$1,006.14	\$565.88
03/21	\$80.84		\$420.00			HAZARD SFR	\$666.98	\$226.72
04/21	\$80.84		\$0.00				\$747.82	\$307.56
05/21	\$80.84		\$0.00				\$828.66	\$388.40
06/21	\$80.84		\$0.00				\$909.50	\$469.24
07/21	\$80.84		\$0.00				\$990.34	\$550.08
08/21	\$80.84		\$0.00				\$1,071.18	\$630.92
09/21	\$80.84		\$296.31			SCHOOL TAX	\$855.71	\$415.45
09/21	\$0.00		\$253.77			TOWN TAX	\$601.94	\$161.68<
10/21	\$80.84		\$0.00				\$682.78	\$242.52
Total	\$970.08		\$970.08			Total	\$682.78	\$242.52

Bankruptcy Adjustment - The Prior Year Account History and Coming Year Projections section of the Annual Escrow Account Disclosure Statement may contain a line item called "Bankruptcy Adjustment". This amount is a credit based upon the unpaid portion of the escrow funds listed on the proof of claim to be paid through the Chapter 13 plan. The amount of the credit is calculated and applied to reach the minimum required balance for the escrow account as allowed under the loan documents and applicable non-bankruptcy law. The credit may not represent the total outstanding amount of escrow funds owed in the proof of claim but ensures that any escrow funds listed on the proof of claim to be paid through the plan will not be collected through the escrow shortage or surplus listed in the Annual Escrow Account Disclosure Statement. In some instances, only a portion of the proof of claim escrow funds are listed as a credit to reach the required minimum account balance.

You will receive an Annual Escrow Account Disclosure Statement reflecting the actual disbursements at the end of the next escrow analysis cycle. However, you should keep this statement for your own records for comparison. If a previous escrow analysis statement was sent to you by your previous servicer, please refer to that statement for comparison purposes. If you have any questions, please call our Bankruptcy Department at 1-877-343-5602. Our hours of operation are Monday through Friday from 8 a.m. to 5 p.m. (CT). Visit us on the web at www.mrcooper.com for more information.

Note: Any disbursements listed after the date of this statement are assumed to be projected or estimated.

**IN THE UNITED STATES BANKRUPTCY COURT FOR  
THE WESTERN DISTRICT OF PENNSYLVANIA**

IN RE:	:	
	:	Bankruptcy No. 16-10984-TPA
Brian Craig Fitzgerald,	:	Chapter 13
Debtor(s)	:	
<hr/>		
	:	
Colleen Marie Fitzgerald,	:	
Debtor(s)	:	
	:	
Nationstar Mortgage LLC d/b/a Mr. Cooper,	:	
Secured Creditor,	:	
	:	
Brian Craig Fitzgerald, Colleen Marie	:	
Fitzgerald,	:	
Debtor(s) / Respondent(s),	:	
and		
Ronda J. Winnecour,		
Trustee / Respondent.		

**CERTIFICATION OF SERVICE OF  
NOTICE OF PAYMENT CHANGE**

I certify under penalty of perjury that I served the above captioned pleading on the parties at the addresses specified below or on the attached list on September 14, 2020. The type(s) of service made on the parties (first-class mail, electronic notification, hand delivery, or another type of service) was: electronic notification and first-class mail.

If more than one method of service was employed, this certificate of service groups the parties by the type of service. For example, the names and addresses of parties served by electronic notice will be listed under the heading "Service by Electronic Notification," and those served by mail will be listed under the heading "Service by First-Class Mail."

**Service by Electronic Notification:**

Ronda J. Winnecour  
Suite 3250, USX Tower  
600 Grant Street  
Pittsburgh, PA 15219  
Email: cmecf@chapter13trusteedpa.com

Daniel P. Foster  
Foster Law Offices  
1210 Park Avenue  
PO Box 966  
Meadville, PA 16335  
Email: dan@mrdebtbuster.com

**Service by First Class Mail:**

Brian Craig Fitzgerald  
16469 Route 957  
Bear Lake, PA 16402

**Service by First Class Mail:**

Colleen Marie Fitzgerald  
16469 Route 957  
Bear Lake, PA 16402

Dated: September 14, 2020

By: /s/Andrew M. Lubin  
Signature

Andrew M. Lubin, Esquire  
Typed Name

1 E. Stow Road, Marlton, NJ 08053  
Address

(856) 482-1400  
Phone No.

54297, Pennsylvania  
List Bar I.D. and State of Admission  
**Attorneys for Secured Creditor**  
**PAWB Local Form 7 (07/13)**